Case 09-30321 Doc 1 Filed 08/18/09 Entered 08/18/09 17:27:44 Desc Main Document Page 1 of 7

United States Bankruptcy Court Northern District of Illinois, Eastern Division Voluntary Pet				y Petition						
Name of Debtor (if individual, enter Last, First, Middle): Ramirez, Oscar				Name of Joint Debtor (Spouse) (Last, First, Middle): Ramirez Cynthia						
All Other Names Used by the Debtor in the last 8 years (include married, maiden, and trade names):				All Other Names Used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):						
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): 1276				Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): 6363						
Street Address of Debtor (No. and Street, City, and State): 744 Newcastle Ave				Street Address of Joint Debtor (No. and Street, City, and State): 744 Newcastle Ave						
Westchester, Illinois		60154		Westchester, Illinois 60154					60154	
County of Residence or of the Principal Place of Business: Cook				County of Residence or of the Principal Place of Business: Cook						
Mailing Address of Debtor (if different from street addr	ress):			Mailing Address of Joint Debtor (if different from street address):						
Location of Principal Assets of Business Debtor (if diffe	erent from street a	address above):	<u>_</u>							
Type of Debtor	<u> </u>	Nature of Bu	ısiness		l	Chantar of	Donleme	ntay Cor	de Under Wl	high
(Form of Organization) (Check one box.) Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. Corporation (includes LLC and LLP) Partnership Other (If debtor is not one of the above entities, check this box and state type of entity below.) Filing Fee (Check one box.) Full Filing Fee to be paid in installments (Applicable to Must attach signed application for the court's consideration. See Signed application for the court's consideration. See	o individuals only) ideration certifying that the debtor is 06(b). See Official Form 3A. er 7 individuals only). Must attach			Check one bo Debtor is Debtor is Check if: Debtor's insiders o	debts, defined in 11 U.S.C. business § 101(8) as "incured by an individual primarily for a personal, family, or household purpose. Chapter 11 Debtors				n e primarily debts. ID) I(51D)	
Check all applicable boxes: A plan is being filed with this petition. Acceptances of the plan were solicited prepetition from one or more conformation of creditors, in accordance with 11 U.S.C. § 1126(b).										
Statistical/Administrative Information Debtor estimates that funds will be available for one of the property is expenses paid, there will be no funds available for the property in the property is expenses paid, there will be no funds available for the property in the property in the property is expenses paid.	is excluded and ac	dministrative								THIS SPACE IS FOR COURT USE ONLY
49 99 199 99	00-	000-	5,001- 10,000	10,001- 25,000		25,001- 50,000	50,001- 100,000	1	Over 100,000	
\$50,000 \$100,000 \$500,000 to	\$1 \$1 to	,000,001 \$10	\$10,000 to \$50 million	,001 \$50,000 to \$100 million		\$100,000,001 to \$500 million	\$500,00 to \$1 bil		More than \$1 billion	
\$50,000 \$100,000 \$500,000 to	\$1 \$1 \$1 \$1 to	,000,001 \$10	\$10,000 to \$50 million	,001 \$50,000 to \$100 million		\$100,000,001 to \$500 million	\$500,00 to \$1 bil		More than \$1 billion	

Voluntary Petition (This page must be completed and filed in every case)	Name of Debtor(s): Oscar Ramirez and Cynthia Ramirez			
All Prior Bankruptcy Case Filed Within La	st 8 Years (If more than two, attach addit	tional sheet.)		
Location Where Filed:	Case Number:	Date Filed:		
Location Where Filed:	Case Number:	Date Filed:		
Pending Bankruptcy Case Filed by any Spouse, Partner or	Affiliate of this Debtor (If more than on	e, attach additional sheet.)		
Name of Debtor:	Case Number:	Date Filed:		
District:	Relationship:	Judge:		
Exhibit A		Exhibit B		
(To be completed if debtor is required to file periodic reports (e.g., forms	I -	eted if debtor is an individual re primarily consumer debts.)		
10K and 10Q) with the Securities and Exchange Commission pursuant to				
Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)	I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11,			
	12, or 13 of title 11, United States Code available under each such chapter. I furt	,		
_	debtor the notice required by 11 U.S.C.			
Exhibit A is attached and made a part of this petition.	X /S/ Joseph C. Michelotti	7/10/09		
	Signature of Attorney	Date		
Does the debtor own or have possession of any property that poses or is alleged to pose a	Exhibit C	upublic bealth or cafety?		
Yes, and Exhibit C is attached and made a part of this petition.	differ of miniment and identifiable fiain to	puone neatti oi saiety:		
□ No				
1	Exhibit D			
(To be completed by every individual debtor. If a joint petition is filed, each spouse mus				
Exhibit D completed and signed by the debtor is attached and made a part of this pe If this is a joint petition:	etition.			
Exhibit D also completed and signed by the joint debtor is attached and made a part	of this petition.			
	arding the Debtor - Venue			
_	ny applicable box.)			
Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately				
preceding the date of this petition or for a longer part of such 180 days than in	any other District.			
There is a bankruptcy case concerning debtor's affiliate, general partner, or par	tnership pending in this District.			
Debtor is a debtor in a foreign proceeding and has its principal place of busine	ss or principal assets in the United States in	this District or		
or has no principal place of business or assets in the United States but is a defe				
this District, or the interests of the parties will be served in regard to the relief	f sought in this District.			
Certification by a Debtor Who R	esides as a Tenant of Residential Propert	у		
(Check all applicable boxes.)				
Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)				
(Name of landlord that obtained judgment)				
	Address of landlord)			
_				
Debtor claims that under applicable nonbankruptcy law, there are circumstance		ed to cure the		
entire monetary default that gave rise to the judgment for possession, after the	judgement for possession was entered, and			
Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the				
filing of the petition.				
Debtor certifies that he/she has served the Landlord with this certification. (11	1 U.S.C. § 302(1)).			

Voluntary Petition (This page must be completed and filed in every case)	Name of Debtor(s): Oscar Ramirez and Cynthia Ramirez			
Sign	natures			
Signature(s) of Debtor(s) (Individual/Joint) I declare under penalty of perjury that the information provided in this petition is true and correct. [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under Chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by § 342(b) of the Bankruptcy Code. I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.	Signature of a Foreign Representative I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition. (Check only one box.) I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by § 1515 of title 11 are attached. Pursuant to § 1511 of title 11, United States Code, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.			
X /S/ Oscar Ramirez Signature of Debtor X /S/ Cynthia Ramirez Signature of Joint Debtor Telephone Number (If not represented by attorney) 7/10/09 Date	X (Signature of Foreign Representative) (Printed Name of Foreign Representative) Date			
Signature of Attorney* X /S/ Joseph C. Michelotti Signature of Attorney Joseph C. Michelotti 6185760 Printed Name of Attorney for Debtor(s) Michelotti & Associates, Ltd. Firm Name 1200 Jorie Blvd #329 Address Oak Brook, IL 60523	Signature of Non-Attorney Bankruptcy Petition Preparer I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notice and information required under 11 U.S.C. 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19B is attached. Printed Name and title, if any, of Bankruptcy Petition Preparer			
630-928-0100 Telephone Number 7/10/09 Date * In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.	Social Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.) Address			
Signature of Debtor (Corporation/Partnership) I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor. The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.	Date Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.			
Signature of Authorized Individual Printed Name of Authorized Individual	Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition: preparer is not an individual. If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.			
Title of Authorized Individual Date	A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisionment or both 11 U.S.C. § 110; 18 U.S.C. § 156.			

UNITED STATES BANKRUPTCY COURT

Northern District of Illinois, Eastern Division

In Re:	Oscar Ramirez and Cynthia Ramirez	Case No.			
	Debtor		(if known)		

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- □ 1. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
- ☑ 2. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.

3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]
If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.
4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.][Must be accompanied by a motion for determination by the court.]
☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);
☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);
☐ Active military duty in a military combat zone.
5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.
I certify under penalty of perjury that the information provided above is true and correct.
Signature of Debtor /S/ Oscar Ramirez
Date: _7/10/09

UNITED STATES BANKRUPTCY COURT

Northern District of Illinois, Eastern Division

In Re:	Oscar Ramirez and Cynthia Ramirez	Case No.			
	Debtor		(if known)		

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☐ Active military duty in a military combat zone.
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I certify under penalty of perjury that the information provided above is true and correct.
Signature of Joint Debtor/S/ Cynthia Ramirez
Date: _7/10/09